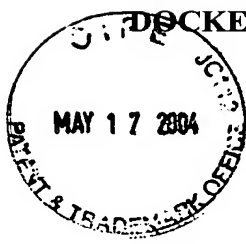


IPW



DOCKET NO.: BKER-0043

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Marr et al.

Confirmation No.: 7070

Application No.: 10/685,688

Group Art Unit: 3749

Filing Date: October 14, 2003

Examiner: Not yet assigned

For: PREFORMED MODULAR TREFOIL AND INSTALLATION METHOD

DATE OF DEPOSIT: MAY 13, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

*Heather Kite*

TYPED NAME: Heather Kite

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☒ Copies of references **1-10 and 13-28** listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

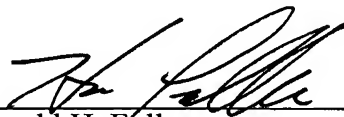
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **11, 12 and 29** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/873,514**, filed **June 5, 2001**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

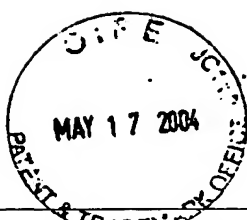
There are no listed references which are not in the English language.

Date:

*May 11, 2004*

  
\_\_\_\_\_  
Harold H. Fullmer  
Registration No. 42,560

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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. BKER-0043	Application No. 10/685,688
	Applicant Marr et al.	
	Filing Date October 14, 2003	Group 3749
	Confirmation No. 7070	

### U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	1,431,530	10/10/22	Leicester	52	608
	2	1,534,475	04/21/25	Willett et al.	110	338
	3	1,741,680	12/31/29	Davey	52	567
	4	1,920,677	08/01/33	Burke	222	7
	5	2,341,971	02/15/44	Antill	72	102
	6	2,889,143	06/02/59	Reaney et al.	263	33
	7	3,030,091	04/17/62	Wicken et al.	263	32
	8	3,036,822	05/29/62	Andersen	263	32
	9	3,169,016	02/09/65	Wicken et al.	263	32
	10	3,175,815	03/30/65	Wicken et al.	263	32

### FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	11	721 910	3/1932	FR		
	12	906595	5/1962	GB		

EXAMINER

DATE CONSIDERED

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<b>U. S. PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	
	13	3,201,100	08/17/65	Dussossoy	263	33	
	14	3,221,614	12/07/65	Pertien	94	13	
	15	3,227,430	01/04/66	Vaughan, Jr.	432	118	
	16	3,346,248	10/10/67	Martinet et al.	263	33	
	17	3,362,698	01/09/68	Cerny et al.	263	33	
	18	3,521,867	07/28/70	Bucchi	432	118	
	19	3,834,108	09/10/74	Ludvigsen	52	593	
	20	4,340,360	07/20/82	Hoedl et al.	432	119	
	21	4,475,886	10/09/84	Tyler	432	118	
	22	4,543,893	10/11/85	Künnecke	110	338	
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Country</b>	<b>Translation</b>		
					<b>YES</b>	<b>NO</b>	
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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<b>U. S. PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	
	<b>23</b>	4,846,677	07/11/89	Crivelli et al.	432	118	
	<b>24</b>	4,960,058	10/02/90	Materna	110	336	
	<b>25</b>	4,975,049	12/04/90	Roenigk et al.	432	118	
	<b>26</b>	5,330,351	07/19/94	Ransom, Jr. et al.	432	103	
	<b>27</b>	6,257,878 B1	07/10/01	Marr et al.	432	103	
	<b>28</b>	6,672,256 B2	01/06/04	Marr et al.	122	103	
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Country</b>	<b>Translation</b>		
					<b>YES</b>	<b>NO</b>	
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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		Confirmation No. 7070	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	29	Lime, "Castable trefoils in rotary lime kilns," <i>PIT &amp; Quarry</i> , 1984, 46, 47, 50	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	